

**DELAWARE CRIMINAL JUSTICE INFORMATION SYSTEM
BOARD OF MANAGERS
PUBLIC SESSION MEETING MINUTES
August 23, 2018**

OPENING AND ATTENDANCE

The Board of Managers meeting was held at the Delaware Criminal Justice Information System located in Dover, Delaware. Ms. Bhate called the meeting to order at approximately 10:00 a.m.

Those in attendance included:

BOM MEMBERS

Marianne Kennedy	JP Court
Saul Hernandez	Family Court
Sec. James Collins	DTI
Phil Winder	DOC
Marian Bhate	ODS
Leann Summa	DYRS
Lt. Frederick Calhoun	NCCPD
Renee Rigby	DSP
Chief William Bryson	DE Police
	Chiefs' Council

STAFF

Earl McCloskey	DELJIS
Michael Kelly	DELJIS
Mary Hansen	DELJIS
Alyssa Huenke	DELJIS
Patricia Davis	DAG

PUBLIC AND NON-VOTING PARTIES

June Woodward
Phil Hill
Keith Ledwon

I. REVIEW AND APPROVAL OF MEETING MINUTES

BOM Public Session Minutes – Mr. Winder made a motion to approve the June 2018 BOM Public Session Minutes. Ms. Rigby seconded the motion.

BOM Executive Session Minutes – Ms. Kennedy made a motion to approve the June 2018 BOM Executive Session Minutes. Chief Bryson seconded the motion.

II. NETWORK MANAGEMENT

- Christiana Care – Ms. Hansen advised Christiana Care has submitted a request for additional access for dispatchers to mirror the DELJIS access that Christiana Care constables have. Ms. Hansen passed out a sheet to show the comparison between constable menu functions and dispatcher menu functions for CJIS and the Web Portal. She stated that Christiana Care is also requesting that the NICS G4 Records Inquiry, CCDW Inquiry, and Medical Marijuana Inquiry be added to the constables' menu functions.

Captain Phil Hill and Keith Ledwon of Christiana Care Public Safety discussed the nature of their current DELJIS access and how the additional services will improve their responses to incidents and the overall safety of Christiana Care properties. Mr.

Ledwon advised that he has been a dispatch supervisor for approximately three years, and their protocol requires constables to contact dispatchers to check CJIS to see if a subject has an active warrant. Mr. Ledwon stated that with their current menu functions, dispatchers can only use DMV functions to see if an individual has an active warrant, but they are unable to view the type of warrant and what it is for. He added that constables do not have computers or mobile units in their vehicles. Mr. Ledwon stated it would be beneficial for the dispatchers to be able to access the same information the constables can so that they may relay the information to the constables when they are responding to an incident.

Captain Hill advised Christiana Care Public Safety's complaint load has increased greatly and that constables can only access detailed information about a subject they encounter after they report back to the public safety building. Mr. Ledwon added that the constables rely on the dispatchers for information during the initial contact with a subject and providing the additional access that has been requested would allow the constables to be better prepared when responding to an incident. Ms. Kennedy asked if the constables currently have access to the information that the dispatchers would be providing if the request is granted. Captain Hill and Mr. Ledwon advised the constables do have access to the information and the dispatchers would just be assisting in getting the information more promptly.

Lt. Calhoun asked how many constables there are with Christiana Care Public Safety. Captain Hill advised there are about 85 officers that provide service to Christiana Hospital, Wilmington Hospital, and a free-standing Christiana Care Emergency Room in Middletown. Captain Hill added that there are 12 dispatchers that work from one central location. Mr. Ledwon advised that it is a secured location with keypad and key card entry. Chief Bryson asked if the communication between dispatcher and officer is by radio, phone, or both. Captain Hill advised that communication is conducted either way, but primarily by radio.

Ms. Rigby asked if there are other hospitals with constables that have the same access that is being requested. Ms. Hansen advised that the constables at the other hospitals have the same access that Christiana Care constables currently have. Ms. Bhate asked Ms. Hansen if the Christiana Care constables are requesting access to additional menu functions. Ms. Hansen replied that they are requesting access to the NICS G4 Inquiry, CCDW Inquiry, and Medical Marijuana Inquiry functions. Lt. Calhoun stated that he has noticed that hospitals have recently been taking more steps to provide more secure emergency rooms and facilities. He advised he sees this request as a method of ensuring safety and security among the facility.

There was no further discussion. Lt. Calhoun made a motion to approve the request for additional access for Christiana Care Public Safety. The motion was seconded by Chief Bryson. All approved. Motion carried.

- Carvel Gardens – Ms. June Woodward introduced herself to the Board. She advised she is the property manager at Carvel Gardens and has been managing

subsidized housing for approximately 32 years. Ms. Woodward stated that Carvel Gardens is a federally subsidized housing complex and the staff is requesting DELJIS access to prevent individuals who have committed criminal acts from residing in or being on the property if the criminal activity occurred at Carvel Gardens. Ms. Woodward added that she feels having access to DELJIS information would allow the staff at Carvel Gardens to prevent domestic incidents if they were aware of active no contact orders between residents and/or visitors.

Ms. Hansen distributed a list of apartment complexes that currently have DELJIS access and the nature of same. She also passed out screenshots of the information displayed in the inquiry functions that are being requested by Carvel Gardens. Ms. Kennedy asked if all of the apartment complexes with DELJIS access are Section 8 Housing. Ms. Hansen advised that most of them are and the others are subsidized senior housing complexes.

Ms. Bhate opened discussion by referring to previous conversations the Board has had in recent meetings about the nature of DELJIS access for apartment complexes and whether or not it should be used for security purposes. DAG Davis stated that the request from Carvel Gardens is slightly different than those DELJIS has received in the past from apartment complexes because Carvel Gardens intends on using DELJIS beyond the scope of initial HUD requirement screenings. DAG Davis added that she researched what other states do when there are non-state and non-law enforcement entities with access to criminal justice information. She stated that the guidelines followed by other states are very comprehensive and they have extensive agreements with the non-criminal justice agencies. DAG Davis cautioned the Board about the information that is shown on each of the screens, referring to the handouts provided by Ms. Hansen. DAG Davis provided a brief overview of previous discussions the Board has had about the nature of these requests, mentioning the idea of drafting MOUs that require maintaining an activity log or granting access to a property management company versus individual housing complexes.

Ms. Bhate stated that she believes the request from Carvel Gardens, and previous requests that have been tabled during recent meetings, seems to be changing the scope of the access granted to housing complexes in the past. Lt. Calhoun advised that he has a number of concerns about the nature of the access requested. He stated he is unsure of whether or not the Board, as a group, is set up to govern the security involved with this request. He acknowledged that the Board has a mechanism in place to safeguard the system, though he believes granting this request creates unnecessary vulnerability in that safeguard. Lt. Calhoun added that he would rather see the housing complexes reach out to a central agency to conduct the inquiries that are being requested, instead of each individual complex have DELJIS access. Lt. Calhoun advised he especially has concerns about the information that would be available and who it would be released to. Ms. Rigby asked what his thoughts are about the warrant details that would be displayed if the requested access is granted, particularly with the victim name being included in Exhibit A of the charging documents.

Secretary Collins asked if this request for DELJIS access is significantly above what the Board has been presented with in the past. Ms. Bhate replied that she believes it is given that the information would be used for security purposes instead of enforcing HUD requirements. Mr. McCloskey advised that Arbor Management currently has the access that is being requested by Carvel Gardens. He advised that DAG Davis and Ms. Hansen provided the screenshots to show the Board what information is at stake. There was further discussion about the data that is displayed on various inquiry screens in CJIS and the Web Portal. DAG Davis stated that whether or not non-state agencies are granted access is completely at the Board's discretion.

Ms. Summa asked if Arbor Management uses DELJIS access for security purposes. Secretary Collins added that, from his understanding of the handout from Ms. Hansen, they do use access for security purposes. Ms. Summa stated that she has a concern about that and wonders if there is a process allowing the Board to review and reconsider whether the access should continue under certain circumstances. She asked Ms. Woodward if a Delaware background check is sufficient to grant an individual a lease according to HUD requirements, or if a lease can only be granted after the NCIC check is complete. Ms. Woodward advised that the federal check must be completed before a lease is granted. Ms. Kennedy asked if Carvel Gardens uses a private company to conduct the out-of-state checks. Ms. Woodward stated that they use First American Registry to conduct credit checks and multi-state background checks. Ms. Kennedy asked if those inquiries yield results for Delaware charges, and Ms. Woodward advised that they do include Delaware information. There was discussion about whether or not the information gathered from a third-party site would fulfill HUD requirements.

Ms. Kennedy asked Ms. Woodward what the additional reasons are that Carvel Gardens is requesting DELJIS access. Ms. Woodward advised that Carvel Gardens would use DELJIS to inquire about arrests of an individual in order to send a Barred Notice if that individual was arrested on Carvel Gardens' property. Ms. Rigby asked if there was a set of standards or regulations that Carvel Gardens uses to ban an individual from the property. Ms. Woodward stated that any individual that is arrested on Carvel Gardens' property is barred. Ms. Bhate stated that if an individual is arrested on the property, the property managers would already be aware of the arrest and would not need DELJIS access to verify same. She added that she believes the management has other tools available to use for the reasons they have specified in their request for access.

Ms. Kennedy recommended that the Board table the decision pending refining questions that should be determined before moving forward. She advised that there seems to be a number of general questions that she does not believe would be resolved during the present meeting. Secretary Collins mentioned a technology solution to provide indicators of information instead of specific details to non-state entities. There was discussion about having screens that provide a brief overview of

information that satisfies the request versus the current screens that display a vast amount of sensitive data.

Lt. Calhoun advised another concern of his is how this would affect the everyday workings of the organization. He sees the request from Carvel Gardens as difficult to monitor and govern in respect to data security. He added that he would rather see a mechanism developed for the complexes partner with local law enforcement agencies. There was discussion about how to develop procedures to facilitate a partnership that allows individual law enforcement agencies to provide the necessary information to apartment complexes in a manner that protects the data, but allows the apartments to satisfy their safety and security policies. DAG Davis advised that the Board could develop MOUs between the apartment complex, the police department, and DELJIS to clarify procedures and scope of such partnerships. Lt. Calhoun advised he sees a benefit for the police departments and the complexes, but wants to make sure the individual agencies do not have any objections. There was discussion about establishing guidelines at a later meeting and then bringing it to the Police Chiefs' Council to gather input.

Lt. Calhoun made a motion to table the request for access from Carvel Gardens. Chief Bryson seconded the motion. All approved. Motion carried.

III. HEARINGS

There were no hearings.

IV. STRATEGIC ISSUES

- DELJIS Modernization Report – Secretary Collins stated there are some options to be discussed during a meeting with Mr. McCloskey and updates will follow.

V. COMMITTEE REPORTS

There were no committee reports.

VI. OLD BUSINESS

- Automated Usage Statistics - Mr. McCloskey referenced Attachment D in the meeting handouts and reviewed the automated usage statistics with the attendees.
- Project Status Report – Mr. McCloskey referred to Attachment E to discuss projects that DELJIS is currently working on. First, Mr. McCloskey discussed the Blood Search Warrant project. He advised that the project is about sixty percent complete, but that this and related IDR projects are being pushed up on the priority list.

Mr. McCloskey then mentioned the Lethal Violence Protective Orders. He stated that there is a statutory deadline approaching and is an all-hands-on-deck project. Secretary Collins asked if DELJIS has any involvement in recommending time frames regarding legislation. Mr. McCloskey advised that DELJIS is asked to estimate the time for programmatic changes. He stated that most of the

programming timeline is set based on the business and work flow established by Courts and other agencies.

There was discussion about Senate Bills 209 and 210 relating to the Criminal Code Revision. Mr. Winder asked Mr. McCloskey if DELJIS provided a fiscal note for same. Mr. McCloskey advised that DELJIS did provide a significant fiscal note and estimated about 12 to 18 months to implement any changes relating to the Code Revision. He added that DELJIS has been working to map statute changes since the bills were introduced.

Mr. McCloskey discussed the COGNOS upgrade. He explained that COGNOS is a data mining tool from IBM that a number of police and court administrators use. He advised that there will be training for developers. Ms. Kennedy advised that the JP Court administrators use COGNOS and offered to see if some of those end users can assist in testing. There was discussion about how to maximize the cost of training.

Mr. McCloskey provided an update on the project relating to E-Ticket end of shift logs for special duty assignments. He stated that it is in production with Dover PD and will be available to all police when all glitches are resolved. Mr. McCloskey advised that the NIBRS Records Approval addition to the new LEISS suite is being moved up on the priority list. He briefly mentioned the Officer Weapon Usage and Use of Force Application projects. He stated that the projects are being consolidated as they are very similar.

Mr. McCloskey stated that DELJIS is preparing to create search warrants in LEISS. He advised this will project will be started once the Automated Videophone Warrants are completed. Mr. McCloskey advised that the pilot implementation began in June with New Castle County Police Department and JP Court 2 and JP Court 11. The Justice of the Peace Court is working on a draft implementation for the remaining courts and police departments. Ms. Kennedy and Lt. Calhoun reported positive feedback from users at JP Court and New Castle County Police Department about the program. Mr. McCloskey advised that the next piece of the project is to automate the defendant pedigree form. Ms. Kennedy added that there will be a presentation of the automated videophone warrants at the Police Chiefs' Council meeting on September 11th, 2018.

Mr. McCloskey concluded the Project Status Report by discussing VINE 3. He stated that there is going to be a VINE upgrade, but that there have been recent issues with the vendor, APPRISS. He advised that changes were made that were not approved by DELJIS; therefore the VINE 3 rollout will be postponed until the issues are resolved.

- Compliance Audit Report – Mr. McCloskey advised there were no updates regarding the Compliance Audit Report.

VII. NEW BUSINESS

Mr. McCloskey advised that a Senior Application Support Specialist position is now open at DELJIS.

Mr. McCloskey reviewed the legislative update from Judge Davis. He pointed out there have been a number of changes to criminal and traffic statutes that have created work for DELJIS. Mr. McCloskey discussed the Juvenile Justice Civil Citations and the changes expected to come in July 2019. He stated that will be a major update for DELJIS, as all misdemeanors, with the exception of a handful of offenses such as Unlawful Sexual Contact, will need to be updated in the Law File.

Mr. McCloskey advised that DELJIS has submitted requests for the upcoming fiscal year. He stated he submitted requests for an increase in rent, two additional positions, and an increase in travel budget.

VIII. PUBLIC COMMENT

There was no public comment.

IX. ADJOURNMENT

A motion was made by Secretary Collins to adjourn the meeting at approximately 11:33 a.m. The motion was seconded by Lt. Calhoun.